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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

YESSICA ORTIZ,

Plaintiff,

v.

SONORAN BARBEQUE NEVADA, LLC,
 dba FAMOUS DAVE'S, BAR-B-QUE;
 BERTHA LOREA ZAPEDA, an individual;
 and DOES 1 to 50, inclusive,

Defendant.

CASE NO.: 2:20-CV-20-1816-APG-BNW

**STIPULATION FOR OPEN ENDED
 EXTENSION FOR SONORAN
 BARBEQUE NEVADA, LLC TO FILE
 RESPONSIVE PLEADING**

Defendant SONORAN BARBEQUE NEVADA, LLC ("Defendant"), by and through its counsel of record Ogonna M. Brown, Esq., of the law firm of Lewis Roca Rothgerber Christie LLP, and Plaintiff YESSICA ORTIZ ("Plaintiff"), by and through her local counsel of record Lisa A. Rasmussen, Esq., of the law firm of Kristina Wildeveld & Associates, and lead counsel Shervin Lalezary, Esq. and Albert DiRocco, Esq. of the Lalezary Law Firm (collectively, the "Parties"), hereby enter into this Stipulation and Order for Open Ended Extension for Sonoran Barbeque Nevada, LLC to File a Responsive Pleading.

RECITALS

WHEREAS, on July 9, 2020, Plaintiff commenced the above-captioned litigation by filing her Complaint.

WHEREAS, service upon Defendant of the Summons and Complaint was effectuated on September 8, 2020.

WHEREAS, the deadline for Defendant to file its responsive pleading to the Complaint was September 29, 2020.

1 **WHEREAS**, a mediation concerning this litigation was scheduled for October 8, 2020,
2 and the matter was successfully resolved at the conclusion of the mediation.

3 **THEREFORE**, the Parties hereto agree and stipulate as follows:

4 **IT IS HEREBY STIPULATED** that the deadline for Defendant to file its responsive
5 pleading is hereby extended with an open-ended extension pending the filing of the dismissal of
6 all parties, including Defendants, in the above-captioned case, which dismissal was agreed upon
7 by the parties at the conclusion of the mediation that was scheduled on October 8, 2020.

8 **IT IS FURTHER STIPULATED** that Defendant Sonoran Barbeque Nevada, LLC
9 reserves the right to object to this Court's jurisdiction, to assert defenses including, but not limited
10 to, the statute of limitations, and to assert arguments that it is not the proper party in interest in the
11 above-captioned litigation.

12 **IT IS SO STIPULATED AND AGREED.**

13 DATED: October 13, 2020

DATED: October 13, 2020.

14 **THE LAW FIRM OF KRISTINA**
15 **WILDEVELD & ASSOCIATES**

LEWIS ROCA ROTHGERBER
CHRISTIE LLP

16 /s/ Lisa Rasmussen

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/s/ Ogonna Brown

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Sonoran Barbeque, LLC

ORDER

IT IS HEREBY ORDERED that the stipulation is **GRANTED** in part and **DENIED** in part.

IT IS FURTHER ORDERED that the Court declines to allow an indefinite extension of the time to respond to plaintiff's complaint. Instead, defendant Sonoran Barbeque, LLC has until November 15, 2020, to respond to plaintiff's complaint if this matter is not dismissed by that time. Given that the parties resolved this matter at mediation, the Court is happy to consider a subsequent extension. The Court encourages the parties to act promptly to file dismissal paperwork.

IT IS FURTHER ORDERED that Defendant Sonoran Barbeque Nevada, LLC reserves the right to object to this Court's jurisdiction, to assert defenses including, but not limited to, the statute of limitations, and to assert arguments that it is not the proper party in interest in the above-captioned litigation.

IT IS SO ORDERED

DATED: 3:16 pm, October 16, 2020



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE